

POLREP 1 AND FINAL

208 BAKER HILL ROAD SITE

RRD 208 AND 208A BAKER HILL ROAD, CORRY, ERIE COUNTY, PA 16407

EVENT: WINDSHIELD ASSESSMENT

ATTN: RRC AND C. KLEEMAN

I. SITUATION (1500 HRS, THURSDAY, OCTOBER 28, 2004)

- A. ON SEPTEMBER 14, 2004, GERALD HESTON RECEIVED AN E-MAIL FORWARDED FROM EPA HEADQUARTERS(HQS) IN WASHINGTON, D.C. THE E-MAIL WAS SUBSEQUENTLY FORWARDED TO THE REMOVAL SECTION OF EPA REGION III FOR INVESTIGATION. THE E-MAIL CONCERNED ALLEGATIONS REPORTED TO HQS FROM MR. (b) (6)(b) (6)(b) (6)(b) (6)(b) (6) IN WHICH MR. (b) (6) STATED THAT THE BENDER COMPANY "DISPOSED OF HAZARDOUS WASTE, CHEMICAL, MATERIALS THAT ARE TOXIC AND CHARGED A FEE TO DO THIS." IT WAS ALSO ALLEGED THAT MATERIALS WERE DUMPED AND POURED IN THE CREEK LOCATED ADJACENT TO THE 208 BAKER HILL ROAD PROPERTY. THIS WAS SUPPOSEDLY ACCOMPLISHED BY THE ANDRUS CONSTRUCTION COMPANY. THE INCIDENT WAS REPORTED TO THE NATIONAL RESPONSE CENTER (NRC) AND RECEIVED INCIDENT REPORT # 738264. SUPERFUND REMOVAL SECTION CHIEF CHARLIE KLEEMAN ASSIGNED THE INVESTIGATION OF THE CASE TO OSC MARJORIE EASTON. OSC EASTON CONTACTED THE WASTE MANAGEMENT PROGRAM OFFICE OF THE PADEP IN NORTH WARREN, PA. PADEP SOLID WASTE SPECIALIST RICHARD SHERIFF HAD RECEIVED THE SAME REPORT FROM THE NRC. IT WAS DECIDED THAT THE EPA AND STATE WOULD MEET TO FURTHER ASSESS THE VERACITY OF THE ALLEGATIONS. A SITE VISIT TO THE COMPANY WAS PLANNED.
- B. AT 0900 ON TUESDAY, OCTOBER 26, 2004 OSCs EASTON MET PADEP RICHARD SHERIFF IN CORRY, ERIE COUNTY, PA. AND MOBILIZED TO THE BENDER COMPANY ON BAKER HILL ROAD.
- C. PERSONNEL ON SCENE: EPA-1, PADEP-1, BENDERS COMPANY -2, PROPERTY OWNER- 1
- D. WEATHER ON SCENE: TEMPERATURE IN THE MID 60'S, SUNNY.

II. ACTIONS TAKEN

- A. AT 0900 HOURS ON TUESDAY, OCTOBER 26, 2004, ACCORDING TO PRIOR ARRANGEMENTS OSC EASTON MET WITH PADEP RICHARD SHERIFF IN THE PARKING LOT OF THE RED APPLE IN CORRY, ERIE COUNTY, PA. MR. SHERIFF WAS FAMILIAR WITH AREA BUT DID NOT KNOW THE EXACT COMPANY LOCATION. IT WAS DECIDED THAT THE EPA AND PADEP WOULD VISIT THE COMPANY TO OBTAIN A

BETTER UNDERSTANDING OF THE COMPANY'S OPERATIONS.

B. AT 0910 HOURS PADEP AND EPA TRAVELED TO 208 BAKER HILL ROAD. THE LOCATION PROVED TO BE PART OF A SMALL FARM. OSC EASTON AND PADEP SPECIALIST INTRODUCED THEMSELVES TO MR. AND MRS. (b) (6)(b) (6)(b) (6). THEY EXPLAINED THEIR REASON FOR THE SITE VISIT AND ASKED THE (b) (6)(b) (6)(b) (6) IF THE EPA AND PADEP PERSONNEL COULD WALK AROUND THE PROPERTY. THEY ALSO ASKED THE (b) (6)(b) (6)(b) (6) WHAT THE NATURE OF THE BUSINESS WAS. MR. (b) (6)(b) (6)(b) (6) RENTED PART OF THE FARM AND OPERATED A REFRIGERATION AND AIR CONDITIONING REPAIR BUSINESS. HE STATED BECAUSE OF ALLEGATIONS FROM A FORMER HIGHSCHOOL FRIEND HE HAD BEEN SUBJECTED TO NUMEROUS INVESTIGATIONS BY ALL MANNER OF FEDERAL STATE AND COUNTY AGENCIES. THE FAMILY HAD TAKEN IN THE FORMER FRIEND WHO SEEMED TO BE "DOWN ON HIS LUCK". THE HIGH SCHOOL FRIEND, MR. (b) (6) HAD STAYED WITH THE FAMILY. SUBSEQUENTLY THE STATE POLICE HAD COME TO THEIR HOME AND ARRESTED MR. (b) (6) UNBEKNOWNST TO THE (b) (6)(b) (6)(b) (6). MR. (b) (6) WAS A FUGITIVE AND HAD ESCAPED FROM PRISON. WHEN HE WAS ARRESTED MR. (b) (6) THREATENED TO RUIN THE BENDER COMPANY AND ANYONE WHO ASSOCIATED WITH THEM. THE (b) (6)(b) (6) PRODUCED A LARGE FILE CONTAINING HUNDREDS OF LETTERS WRITTEN FROM PRISON ABOUT THEM AND TO THEIR CUSTOMERS WITH ALL TYPES OF CRIMINAL ALLEGATIONS. A PRIOR INSPECTION REPORT CONDUCTED ON 7/19/04 FROM ANOTHER SECTION OF THE DEP WAS INCLUDED. THE INSPECTION REPORT NOTED THAT NO EVIDENCE OF DUMPING WAS FOUND. A COPY WAS OBTAINED. OSC EASTON AND DEP SPECIALIST SHERIFF ASKED IF THEY COULD LOOK AROUND THE OUT BUILDINGS. THE KREITZBENDERS AGREED. AS THEY CROSSED THE SMALL STREAM ON THE PROPERTY, THE OWNER, MR. (b) (6) (b) (6), ARRIVED. HE, TOO, HAD BEEN THE SUBJECT OF VARIOUS INVESTIGATIONS BECAUSE HE WAS ASSOCIATED WITH THE (b) (6)(b) (6). ACCORDING TO MR. (b) (6), MR. (b) (6) HAD THREATENED HIM WHEN HE WOULD NOT EVICT HIS TENANTS. MR. (b) (6) AND MR. (b) (6)(b) (6) REFERRED THE EPA AND DEP TO THE STATE POLICE FOR ADDITIONAL INFORMATION. CPL. CHARLES AMOND, CRIMINAL INVESTIGATION UNIT SUPERVISOR, IN CHARGE OF THIS CASE AGREED TO MEET WITH THEM. BEFORE DEPARTING THE FARM, OSC EASTON AND PADEP SPECIALIST SHERIFF NOTED THAT THE CREEK DID NOT SHOW EVIDENCE OF DUMPING OR BURNING. OSC EASTON AND SPECIALIST SHERIFF DEPARTED 208 BAKER HILL AND TRAVELED TO CORRY TO MEET WITH THE PENNSYLVANIA STATE POLICE.



- C. OSC EASTON AND DEP SHERIFF ARRIVED AT THE POLICE STATION IN CORY. CPL AMOND MET WITH THEM IN HIS OFFICE. HE PRODUCED A LARGE FILE ON THESE ALLEGATIONS. HE ALSO MADE A COPY OF THE A PUBLIC INFORMATION RELEASE. THE CASE IS CONSIDERED TO BE "STALKING BY COMMUNICATION AND FALSE REPORTS TO LAW ENFORCEMENT AUTHORITIES BY A KNOWN NEW YORK PRISON INMATE". A COPY OF THE REPORT E02-110848 WILL BE INCLUDED IN THE FILE. IN ADDITION TO THE (b) (6)(b) (6) AND MR. (b) (6), MR. (b) (6)(b) (6)(b) (6) HAS ALSO BEEN STALKED. CPL AMOND STATED THAT SINCE THE INMATE WAS IN A NEW YORK PRISON AND NOT IN A PENNSYLVANIA PRISON, THEY HAVE NOT BEEN ABLE TO CURTAIL HIS LETTER WRITING. HOWEVER, MR. HUFFMAN IS NOW OR WILL SOON BE HOUSED IN FEDERAL DETENTION FACILITY. AT THAT TIME THE AUTHORITIES HOPE TO BE ABLE TO MONITOR THE MAILINGS. ADDITIONALLY THE POSTAL INSPECTOR HAS ALSO BEEN ALERTED. IN ADDITION TO THE DEP AND EPA, THE INMATE HAS CONTACTED FEDERAL AGENCIES, PA HUNTING AND FISHING OFFICE, VARIOUS BUSINESS AGENCIES REPORTING ALL TYPES OF FELONY CHARGES AGAINST THE VICTIMS. HE HAS MAILED MORE THAN 200 LETTERS TO VARIOUS AGENCIES AND INDIVIDUALS. ALL FURTHER ALLEGATIONS GENERATED BY MR. (b) (6) SHOULD BE REFERRED TO THE PENNSYLVANIA STATE POLICE TO THE ATTENTION OF CPL. CHARLES AMOND (814-663-2043).
- D. AT APPROXIMATELY 1240 HOURS PADEP AND EPA DEPARTED THE POLICE OFFICE.

### III. FUTURE PLANS

- A. OSC WILL SUPPLY A COPY OF THE POLREP TO PADEP SOLID WASTE SPECIALIST SHERIFF.
- B. ANY ADDITIONAL ALLEGATIONS WILL BE REFERRED TO PA STATE POLICE CPL. CHARLES AMOND (814-663-2043 OR 1-800-923-1975).
- C. A COPY OF THE INVESTIGATION WILL BE FORWARDED TO EPA HQS.
- D. NO ADDITIONAL EPA INVOLVEMENT IS ANTICIPATED.

---

MARJORIE EASTON, OSC  
US EPA REGION III  
WHEELING, WV